

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
PECOS DIVISION

USA

vs.

(1) Thomas Alan Arthur
Defendant

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Case Number: PE:19-CR-00774(1)-DC

SCHEDULING ORDER

TAKE NOTICE that the above entitled case has been set for **DOCKET CALL** on **December 12th, 2019 at 11:00 a.m.**, in the UNITED STATES DISTRICT COURTHOUSE, COURTROOM No. 2, located at 410 S. CEDAR ST., PECOS, TEXAS before **U. S. MAGISTRATE JUDGE DAVID B. FANNIN**.

Non-detained defendants and counsel must PERSONALLY be present for the docket call hearing unless an email is received from the Courtroom Deputy that counsel and or defendant is excused. If a detained defendant desires to be present, counsel must notify the Courtroom Deputy of the Magistrate, Yvette Lujan, at yvette_lujan@txwd.uscourts.gov. Government Counsel is expected to be present for the docket call. The following instructions should be understood by counsel and the defendant:

Duty to Notify Defendant

- 1) Defense counsels are reminded of their duty to notify the defendant of the defendant's required appearance at docket call.

Requests for Continuance of Docket Call

- 2) Any motions for continuance for the appearance of counsel and/or the defendant at the docket call must be filed on or before the close of business on **December 10, 2019**. The motion should be styled "Motion for Continuance of Docket Call" so that it may be distinguished from a motion for continuance for the trial setting. The motion must be filed with the Clerk of Court.

Resolution Prior to Trial

- 3) At the docket call, the parties are expected to announce the status of the case. Plea dates will be given at the time of docket call. If defense counsel wishes to move up those given dates, coordination of a time for a plea must be accomplished by notifying:
Yvette Lujan at yvette_lujan@txwd.uscourts.gov and Joseph Hinojos at joseph_hinojos@txwd.uscourts.gov.

Avoiding Necessity of Appearance if "Ready for Trial"

- 4) If the defendant anticipates a trial and defense counsel will answer "Ready for Trial", then an appearance by the defendant and defense counsel can be avoided by filing a written announcement of "Ready" prior to **December 10, 2019**.

Avoiding Necessity of Appearance if "Plea Entered or Plea Date Set"

- 5) If the defendant has entered a plea prior to docket call, defendant and defense counsel are **EXCUSED** from the docket call hearing. Defense counsel is also **EXCUSED** from the docket call hearing if a plea date has been requested no less than **48 hours prior to docket call**.

Jury Trial Dates and Motion for Continuance of Trial

- 6) **Jury selection and trial** will be set for **January 22, 2020 at 8:30 a.m.**, before United States District Judge David Counts. If defense counsel or defendant intends to have a trial and cannot be ready for trial as the matter is currently scheduled, then a motion for continuance of trial must be filed by **January 22, 2020**. The only exceptions to this policy would be for matters which develop subsequent to the time of that deadline. The motion should be styled "Motion for Continuance of Trial Setting." The motion should state with great specificity the basis for the motion and if counsel has conferred with opposing counsel and co-counsel if applicable.

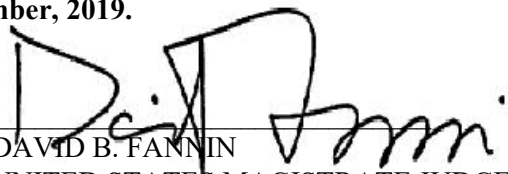
Plea Deadline

- 7) The **plea deadline** for this case is **January 9, 2020**.

All Other Motions

- 8) Any and all *other* Motions must be filed by close of business on **December 10, 2019**.

It is **ORDERED** this 5th day of December, 2019.


DAVID B. FANNIN
UNITED STATES MAGISTRATE JUDGE